MEMPHISAPPEAL

GALLAWAY & KEATING.

DATES \$ 1 00 10 00 5 00 25 1 10 Due copy, one month, by mall. One copy, one year, by mail.
One copy, six months, by mail.
Une copy, one week, in city...
One copy, one month, in city... WEEKLY:

One copy, one year.

One copy, six months.

Epoclimen copies sent free of charge.

Our mall-books are kept by postoffices, and not by Individual names.

In ordering papers changed from one postoffice to another, the names of beth postoffices should be given.

In ordering papers changed from one postoffice to another, the names of beth postoffices should be given.

ling matter. First or Fourth page advertisements, stationary, double raises.

All Advertising Bills for amounts less than Five Dollars must be paid for before insertion. This rule will be strictly adhered to.

To Contributors and Correspondents:

M. C. GAILAWAY,

JUDGE BLACK'S LETTER.

There are some men whose utterances never fail to attract attention, and foremost among these is Hon. Jere S. Black, of Pennsylvania. Some men have an incurable itch for rush ing into print in the shape of a letter to the public, in the hope of writing themselves out of obscurity into notoriety. But Judge Black is not of this offensive class. He is now sixty-four years of age, and has only appeared before the public on three different occasions. In 1870, he wrote a powerful phillipic against the usurpations of the Radi cals. Pending the late Presidential election Judge Black, in a letter, replied to the speech of Garfield, of Ohio, and never did a document have a wider circulation. And the distinguished statesman makes his third appearance in a recent letter, which will be found in to-day's APPEAL, and to which the read er's attention is called. There is an old story about the client who, in court, while his lawyer was portraying his wrongs, burst out in a flood of tears because he never knew before how he had been treated. As the reader peruses Judge Black's fearful exposur of the crimes of the Louisiana returning board, it will be impossible for him to restrain his indignation, for he will be impressed more than ever at the new, unknown and abundant causes there are for furious anger and fiery rage. If anything was wanting to complete the fame of Judge Black as a able production, when every sentence is an duty of congress. exposure of the proposed infamy. Perhaps the strongest point is that which Judge Black makes in showing how the Louisiana returning board tries, convicts, and inflicts upon innocent men the worst of all punishmentdisfranchisement-because somebody else is guilty of intimidation. Conceding that there has been intimidation, which we deny, is that

any reason why innocent men should be pun-

simply voted and returned to their avocations? INTIMIDATION. It seems that elections are to be decided hereafter, not by the voice of the people, as expressed at the ballot-box, but by the ability of defeated candidates to prove that somebody was intimidated. Establish the fact that some poor chicken-hearted, pusillanimous coward feared to risk his trembling careas in a blustering crowd of pot-house politicians, and, according to the rule of the Louisiana returning board, the legal votes of honest, courageous men are to be declared null and void. If the new theory is to beout of the hands in which the constitution is supposed to have placed it, and gives it, without reservation, to any combination of swinders who may be fauld, or force, or accident, get the machinery of a state government into their possession. If this be submitted to without opposition, and as a wrong for which there is no legal remedy, it is not probable we will ever him to their possession. If this be submitted to without opposition, and as a wrong for which there is no legal remedy, it is not probable we will ever him to their possession. If this be submitted to without opposition, and as a wrong for which there is no legal remedy, it is not probable we will ever him to their possession. If this be submitted to without opposition, and as a wrong for which there is no legal remedy, it is not probable we have been said is a very moderate statement of the case as alleged by the Democrats of Louisiana, and by a party perfectly reliable gentlement, who have carefully law therefore it as a subject. They declare that they will not the country such proposition as an element in politics. He argues that the substitution of the views of returning boards, on the ground of intimidation for ing boards, on the ground of intimidation for popular elections, is a threatend subversion truth. of the processes by which our institutions are maintained; that intimidation will become the only element of value in politics, multiplying like the grasshoppers, till it ravages the whole land; that intimidation is a word of such broad scope that it opens the door to every system of degradation that can be conceived of in politics, from individual cowardice to coachined perjury, and over all it places an arbitrary and irresponsible tribunal to many that forton condition. They certainly meant that as pursons claim to the Presidency should be set aside in some peaceable way by a judgment. of the processes by which our institutions are to weigh the cowardice and to gauge the per-jury, from whose judgment there is no ap-appeal. He proceeds: "Now let us take the worst case of "bulldone" it is no apappeal. He proceeds: "Now let us take the worst case of 'bulldozing' that anybody can bring forward—that of West Felicciana. It is claimed that the negroes were an actual majority in the parish. It is admitted that the Republicans had the State government and the local government; that Republican supervisors of election were everywhere, and that plenty of United States troops were there—or if they were not there it was the fault of those who now claim that their voters sere intimidated. Nevertheless, it is alleged that the negroes were afraid to vote. And because, with all these aids and incentives to political intrepidity, they were still afraid to vote, therefore the votes of those who did vote are to be thrown out! I venture to present up to that the resident of the series of these who did that the process of those who did vote are to be thrown out! I venture to present the expectations of the ease fare and that the the controversy with the aid of the army. In ordinary lines this notion might be treated with decision. But our President, for the time being, has superintended State elections with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills, and done divers other things which show that he has very curious views of his own powers and duties. Still it is not likely that he will carry things to the point of making war upon the people for election, times the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hills with the bayonet, seated governors who were not elected, tumbled legislative bodies out of their hillegs with because, with all these aids and incentives to political interpolity, they were still affinal to vote, therefore the votes of those who did vote are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to product are to be thrown out! I venture to produce a through the product of the pr

tricts are to be thrown out because of intimidation, the face of a ballot-box election might as well be dispensed with, for there never was and never will be an election at .92 00 which there was not intimidation, more or less. At the last election in this city Ed Shaw

crat venerated for his age and loved for his noble, quiet, inoffensive character. It would be a great hardship for a returning board to throw out enough votes to defeat Casey Young because the Republican negro, Ed Shaw, on the day of the election, ranted and intimidated at the polls. The cry of intimidation is arrant hypocrasy. If Louisiana is to be counted for Hayes on this account, at the next election the whole Repub lican party of Louisiana can decline to vote. The Democrats can cast their eighty-three thousand votes for a Democrat, whose Radical opponent receives only a dozen, but according to the new plea of intimidation the Democratic candidate, with his eighty-three thousand majority, will be counted out, and the Radical, with his dozen votes, will be counted elected, because, forsooth, his supporters were intimidated. Was there ever a more monstrous absurdity? The cry of intimidation is made only by knaves vanquished at the ballot-box. Every defeated candidate attributes the result to fraud, and if the result of the Louisiana election is to be reversed by the stale cry of intimidation, our elections

JERE BLACK.

The Great Constitutional Lawyer on the Electoral Vote and the Radical Bulldozing of that Vote in Bayonet-Ridden Louisiana.

have Established a Precedent that Takes the Power of Choosing a

How the Vote is to be Counted - The Buty of the President of the Senate and the Power of Both Houses-The Senate Cannot Interfere, so far as the President

The following letter of Hon, Jere Black to the Washington Union is the clearest and statesman, reasoner, and one of the most plainest exposition of the law and the canstic writers since the days of Junius, it is constitution of the Louisiana case that has furnished in his most powerful; brilliant and yet been presented to the public. We, thereexhaustive letter which we publish this morn- fore, notwithstanding the crowded condition ing. It will be read from beginning to end of our columns, make room for it. We beby millions of the American people, for no lieve it will help to fix the minds of the peoman now in political life so closely rivets the ple in the channels of law, out of which they attention of the public. It is useless for us have so often been diverted, and determine to point out the strong points of this remark- for many now in doubt what is the plain

> Hon. Jere Black's Letter. I comply with the request to state my views con-serring the electoral vote of Louisiana, in the hope-hat I may thereby do some little service to the cause of peace, good order, and honest government. By

FEDERAL CONSTITUTION and the laws of Louislana the people of that State in their primary capacity (and they only) have a right to appoint electors of President and Vice-President. This power has been executed at the time, at the places, and in the way preserted by law. In accordance with the universal rule of all elective governments, the intent and will of the whole people as 1 body a propice by the majority of the ballots. They

STATE OFFICERS of notoriously bad character have conspired among themselves and with other evil-disposed persons to hinder and prevent the appointees of the people from performing the duties assigned to them by their constituents—to organize an electoral college composed of other persons having no authority except what they derive from the fraudulent favor of the consultrators themselves. All this is done in the

counted as if it were, what it is known not to be, the true vote of the State, certified by the true electors. If it be so received and treated by the other States and their representatives, then a rule is established which takes

THE POWER OF CHOOSING OUR CHIEF MAGISTHE POWER OF CHOOSING OUR CHOOSING OUR CHIEF MAGISTHE POWER OF CHOOSING OUR CHIEF MAGISTH OUR CHOOSING OUR CH

THE QUESTION.

whole counties and congressional dis-

THE LOUISIANA VOTE, unless some fact be shown against the certificate which proves it to be not merely erroneous, but void. If the vote comes up from a body of men pretending to be electors, but who in truth have never been appointed as such according to the laws of the State, their act must certainly be treated as a nullity. Men cannot constitute themselves electors, nor be constituted by anybody else except the proper appointing power. Suppose the power of appointment to be in the legislature. The legislature, in the prescribed manner and at the proper time, makes its appointment by a clear majority of its votes, which are duly recorded and certified by officers. Yet the governor, not only without the consent of the legislature, but in definace of its expressed will to the contrary, fixes up a different set of men as an electoral college, and gets them to cast their vote as the vote of the State. Is there an honest man in the country who would be willing to promote the object of such a proceeding to contring the vote of such pretended electors? The case under consideration is perfectly analogous to this. Here the rower to amount is in the procede. The case under consideration is perfectly analogous to this. Here the power to appoint is in the people, who have exercised it; their votes are counted and recorded, decisively showing their designation of certain persons as their appointees. But the governor dishonestly takes upon himself and seven associates the duty of voting for President in the name of the State. If this be not a mere bogus college of electors, what would be? If these men can cast the vote of the State, what is to hinder any other eight men from doing the same thing?

THE RIGHT OF CONGRESS TO THROW OUT ne case under consideration is perfectly analogo

THE RIGHT OF CONGRESS TO THROW OUT THE VOTE OF PERSONS THE RIGHT OF CONGRESS TO THROW OUT THE VOTE OF PERSONS not duly appointed has never been denied in the cases of Territories not fully admitted as States, or of States supposed to be out of the Union as a consequence of their rebellion. If you reject the votes of electors because the State could not appoint, a fortion, you must reject the votes of electors whom the State could appoint, but did not. And the principle applies, a media fertion, to the case of persons to whom the appointing power expressly refused the trust and bestowed it on others. Indeed, no absurdity could be more palpable and none could lead to worse consequences than a decision that the vote of a State must be taken as it is thrown by any set of persons who claim to do it without regard to the authority which they hold or the source from which the derive it. If that principle prevails, what is to be the predicament of things when two or three or a dozen sets of electors all claim the right to vote, and all send up their certificates in apparently proper form, and all are laid before congress by the president of the senate? It will certainly not be denied that congress may inquire into the genniaeness of any certificate produced by the president of the senate. If it is known to be a mere forgery all men of common integrify will say with one voice that it must not and shall not be counted. That being settled, let us see what follows in the case under consideration. Forgery is the frauduced of another's right. If THE RETURNING BOARD AND GOVERNOR OF

LOUISIANA
willfully, fraudulently and falsely made a certificate that certain persons therein named had a majority of the popular votes knowing the fact to be otherwise, they bring themselves literally within this definition. The books on criminal law teach that an indictable forgery is proved when a paper, though signed by the hand of the proper person, and not afterward altered, is brought into contact with any trick or imposture practiced by or upon the maker of it. Thus, a note for a thousand dollars, signed by an illiterate man on the assurance that it blinds him to pay only five hundred; a will drawn contrary to instructions, and misread to the testator; a deed antedated with the consent of both parties to affect injuriously the rights of others—these are held to be forgeries by all the text writers on criminal law, from Coke to Wharton. The judicial decisions, noweer, in England and America are not uniform on this Coke to Wharion. The judicial decisions, nowever, in England and America are not uniform on this point, and I admit the better opinion to be that an indictment for forger; cannot be sustained without proof of on actual false making of the paper, in whole or in part, a simulation or camterfeiting which gives it the appearance of being made by somebody who did not make it. But this latter rule applies only to private papers, and would hardly state.

THE LOUISIANA CONSPIRATORS, if indicted for forgery in the fabrication of false election returns. It has never then held that an official certificate, intended for a transludent purpose, and known to be false, is not a forgery. An auditor of the treasury certifies to a balance in favor of a creditor, but a debtor of the government, with intent to defraud the public, a justice certifies that a deposition was sworn to before him by a person whom he never saw; the cierk of a court certifies false maturalization papers. These ought to be, and would be held for forgeries. A commissioner, supervisor, or inspector of election whose duty it is to count the ballots at a particular polling place fabricates a certificate, signs and returns it in total violation of what he knows to be the truth; how would he fare in a court if indicted for forgery? But suppose the returns to be honesily made to the central authority of the Sute, where the governor, secretary, or special board of varivasing officers are required to aggregate the returns, can they make a certificate wilfully falsifying the whole result of the election without being guilty of forgery? While I concede that this technical question is not, in the present state of the law, clear enough to justify any dormatism about it, the concensor who carriculated in it. THE LOUISIANA CONSPIRATORS,

IF IT BE TAINTED WITH FRAUD.

depended upon the election of members in New Jersey. The Democrats were chosen, But the Whig governor of the State attempted by the opportunity which he thought he had of malding a bold stroke for his party, dishonestly certified the election of the inhority candidates and commissioned them under the broad seal. The commission, if it had any force at all, was conclusive evidence of their right to sit as members until they were unsealed upon a regular petition and contest. But it was fraudulent, and therefore VOID ALTOGETHER. VOID ALTOGETHER.

VOID ALTOGETHER.

It was not allowed to prevail for a moment. In Permsylvania a similar trick was tried in favor of candidates for the legislature known to be defeated by means of a certilicate from the returning officers, pronounced by the governor, the secretary of the commonwealth, and all high authorities to be conclusive. But being known to be a sham and a false-hood, the right calmed under it was resisted to the uttermost. Nobody now believes that it was not rightly and legally treated. But it may be denied that the action of the governor and the returning board is fraudulent. That is a matter of fact not yet in shape for full discussion. If the Hayen electors, the governor, the returning board, and other parties to this transaction can prove that they added up the vote and certified the aggregate result according to the truth as it really was, or as they had reason to believe it, then the Democrata have no case. But if they know what the result was, and yet willfully falsified it, that is a fraud per se. They not only did this, but they greatly aggravated the guilt of the act by

the State constitution, it refuses the votes of qualified citizens, and makes the rights of suffrage a mere mockery. Moreover, it maily violates that express provision of the Federal constitution which declares that no "person shall be distrainchised except for rebellion or other crime," which of course, means a crime of his own whereof he is legally convicted. Besides that, this law does not apply to the case of Treadenthat electors. It is expressly confined to State, parish, and judicial officers to members of the assembly, and reembers of original There's another and examing the wares for productional declaration and examing the wares for forcements.

which is sore to come through the proper committee, will demonstrate this to be a monstrous, unmittgated paipable fraud upon Louistana, and upon the whole American people. It is not the vote of the State, nor the product of any State authority legally exercised, but the mere spawn of a criminal conspiracy. It is impossible to see how congress, or either house of congress, can, with its eyes open, receive this thing and palm it off on the nation as a genuine vote, without becoming a partaker in the crimes which gave it origin, unless the law teaches a false doctrine when it says that he who knowingly utiers a false paper is as guilty as he who makes it.

But it is possible that the judgment of the two houses upon this subject may differ toto coda. They act, deliberate, and decide independently of each other. Though they sit in the same hall while the votes are counted, they are not fused into one body. Upon any question within the judsiletion of both, the judgment of one is as potent as the other, and it is equally clear that each must decide for itself how, when, and it is hall be performed. Now

the fraud by adopting it. What then? Does that bring the organic muchinery of the government to a dead lock, so that it cannot move without breaking it to pieces? Certainly a difference between the two houses must be followed by that disastrous consequence, if it be true that each has the same power over the whole subject, and over every part of it. Let us see if this be the state of the law as the framers of the constitution made it. The power to count the votes and decide upon their validity is not given in express words. But it comes by clear implication from the duty of electing a President and Vice-President in case no candidate has a majority of electors. The subsequent and IMMEDIATE DUTY OF THE HOUSE

THE REPRESENTATIVES OF THE PEOPLE to the lower house shall make a choice from the three highest. How is this duty to be rightfully per formed without ascertaining whether any candidate has a majority? and if not, who are as eligible as the three? And by whom shall the fact be ascertained, if not by themselves? If the house, upon what it believes to be a true count of the votes, shall determine that no case has a majority can the seems interfere and me has a majority, can the senate interfere command the house not to elect? Or can it die command the house not to elect? Or can it dictate to the house the names of the three persons from whom the choice is to be made? To ask these questions is to answer them. The senale having nothing to do with the Presidential election has no duty to perform about it—can pronounce no judgment upon it that binds anybody. For the same reason the house cannot interfere with the business of electing a Vice-bresident, which the consiliation has confided to the senate. Each is as far from the control of the other as both are from the control of the other as both are from the control of the executive. There is a joint rule of the two houses, by which they have mutually bound themselves, that neither house shall count a vote for President or Vice-Fresident if the other decides to throw it out. Whether this rule is in force or not makes no practical difference in the present case on the question between Tilden and Hayes. The refusal of the house to count the fraudulent votes, if it does not prevail under the rule, must be made equally effectual under the naked constitution.

J. S. BLACK.

ALLCOCK'S

Porous Plasters! EF Ask for ALLCOCK'S, and obtain

Rental Notice.

Saturday, January 6, 1877. l, as Receiver of the Fain and Whitmore Plantation

n said plantations for the rents respective JAMES D. DRIVER, Receiver, Osci JAMES D. DRIVER, Receiver, Osceolas-Ark.
Parties desiring information inquire of tyers &
Sneed, Att'ys, 279 Main street, Memphis, Tenn.

THOMAS J. BEASLEY,

AND GENERAL Commission Merchant,

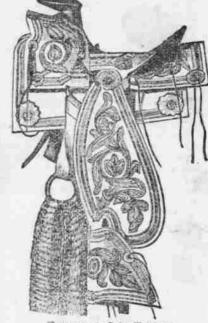
230 FRONT STREET,

Money Wanted

In view of the above fact, will, for 15 days, sell Theological, Medical and many Miscellaneous Books below Invoice Cost.

FANHOOD RESTORED

Fletcher & Rayner,



(Successors to Robt, Fletcher) MANUFACTURERS OF

SADDLERY, HARNESS. AND COLLARS,

And Dealers in Saddlery Hardware and Leather NO. 230 MAIN STREET,

(Ferguson & Privett's Old Stand,) SIGN OF THE SADDLE.

SECRETS. all kind of Diseases, with hundred of variable receipts who should marry the impediments to marriage, their neture and care. Treate on all Diseases, taily explaining they care and one and care. Treate on all Diseases, taily explaining they receive the care. The should be also be care; it is that only really scientific work of the aind ever published, and is completed from the care. The second of the care of the

PRESCRIPTION FREE. FOR the speedy cure of Seminal Weakness, Lost Manhood, and all disorders brought on by insection or excess. Ang druggist has the test. Address, DR. JAQUES & CO. Cincinnati, (

"How to save reshingling—stop leaks effectually and cheaply in roofs of all kinds, or lay new roofs," Particulars FREE to any one stating where they saw this. Goods sent to any part of the United States.

ROOFS

Fix your own not a manusterist are easily applie with postave adiabation. Post a new.
Corres, or denot havited.

Reduced prices for this mouth only on PAINTS

Best in the World: Costs half the price of whi Best in the World! Costs half the price of white lead, lasts longer, covers more, looks better. Practically tested 20 years, and has proved far superior to ordinary paints every time. The paint is READY FOR USE in all known shades, can be applied by any one with perfect success, on either inside or out side work, floors, walls, fences, etc.; warranted elastic, waterproof, and NOT to peel, chalk off, or crack; dries quickly on any surface, forming a smooth, firm, elastic, and beautiful paint. Sample card of colors and estimates free.

Manufacturers of Slate and Marble MANTELS

New designs, beautiful colors, matching carpets trimmings, or decorations in rooms. We are selling at very low prices. Very handsome designs for \$12. \$18, \$20, \$22 and \$25. Book of designs and price-list forwarded on application.

ist forwarded on application.
Your custom is solicited. Call or write. N. Y. SLATE ROOFING CO. LIMITED 8 Cedar st., N. Y. 49 S. Front st., Phila.

Address for home reference, JOSEPH ALDEN 8 Madison street, Memphis, Tenn. dec12 cod STEAM-ENGINES

aplete, and more readily apled to the various me-

anical and agricultural uses an any other in the market.



Wood, Tabor & Morse. Eaton, Madison Co., New York,

Robt. Lewis & Co., Memphis Boiler Works.

Steamboat and Piantation Work promptly



224 Main Street.

Holiday Goods

BRIDAL PRESENTS Diamonds, Watches, JEWELRY AND SILVERWARE.

Latest Styles and Lowest Prices Treble-Plated Silver Table Knives at 86 per dozen.

EXAMINE OUR STOCK AND SELECT SOON. STAMPED CHECKS

ALL THE BANKS,

S. C. TOOF'S 15 Court Street. DIVIDEND.

OFFICE HOME INSURANCE COMPANY, MEMPHIS, December 6, 1876. ** At a regular meeting of the Board of Directors of this Company, a Dividend of Six per Cent.

Up-Stairs : : : : Memphis. Tenn. was declared on the capital stock, and ordered to be credited on the stock notes.

R. P. BOLLING, Secretary.

DISSOLUTION. THE law partnership of Bandolph, Hammond of Jordan is this day dissolved by mutual consent the business of the firm will receive, as heretofore the attention of all the partners until finally settled W. M. RANDOLPH. E.S. HAMMOND, December 1, 1876.

R. D. JORDAN.

New Law Firm, PANDOLPH, HAMMOND & WASSELL,
Attorneys-at-Law,
No. 35 Madison street, Memphis, Tenn. The undersigned have associated with them, in the practice of
law, Samuel S. Wassell, Esq. W. M. RANDOLPH.
E. S. HAMMOND,

New Law Firm. L. BELCHER. BELCHER & JORDAN, Attorneys-at-Law,
Office—No. 19 Madison street, Memphis, Tenn., over
Memphis City and General Fire Insurance Co.

OF MEMPHIS, Pransacts a General Banking Busi-

Collections on Memphis a Specialty. Drafts for Sale on the principal Cities of Europe. Also, Passage Tickets by the Inman, White Star, Cunard, Allan, and Anchor Lines of Ocean Steamers. Particular Attention given to Pay-nent of Taxes. MCity and County Scrip for Sale at the Lowest Market Rates.

DICKINSON BROS. & CO., COTTON FACTORS

Commission Merchants

358 FRONT STREET, (Over Stewart, Gwynne & Co.'s)

MEMPHIS : : : : TENNESSEE. A FORTUNE FOR ONLY ONE DOL-lar. First Dollar Quarterly Drawing, at LOUISIANA STATE LOTTERY CO. Institution was regularly incorporated by the ature of the State for educational purposes in with a capital of \$1,000,000, to which it has since added a reserve fund of \$350,000. Its Grand Single Number Drawings will tak place monthly. The season of 1877 opens with the CAPITAL PRIZE, \$15,000, 100,000 Tickets at One Dollar Each. LIST OF PRIZE: \$15,00

1 Capital Prize. 50 Prizes 100 100 Prizes 50 200 Prizes 25 500 Prizes 10 1000 Prizes 5 5,000 5,000 5,000 5,000 APPROXIMATION PRIZES:
9 Approximation Prizes of \$100.
9 Approximation Prizes of 75.
9 Approximation Prizes of 50.

WINES, LIQUORS

AND CHEARS.

14 Union street. Menzphis, Tennessee.

Having been appointed by Messrs. B. F. Aver & Sons their sole Agents for the sale of the Plows and other implements in Memphis, we at now prepared to fill orders from this point or Louiville. 4000 now in store. Prompt and care ful attention to all orders.

ORGILL BROTHERS & CO. Hardware, Cutlery and Agricultural Implements. 310 and 312 Front Street, Memphis.

ORGILL BROTHERS & CO., Agents., 310 and 312 Front Street.

Fairbanks's Scales.

WM. CLORE'S Hoffman Patent Steel Plows,

ORGILL BROTHERS & CO., Sole Agents for Wm. Clore's Plows,

Just Received. NICE assortment of English Double-Barrel Guns and Wostenholm's Pocket Cutlery, Scis-Razors, etc.

Orgill Brothers & Co., Direct Importers, 310 and 312 Front Street

WE have this day appointed 10, 1876. Messrs, Orgill Brothers & Co. Sole Agents for the sale of our Celebrated Diamond" Anti-Friction Metal AND JOURNAL BEARINGS.

JAS. FLAHERTY. J. J. SULLIVAN. Flaherty & Sullivan



METALLIC AND WOODEN BURIAL CASES and Costin Trimmings. Orders by telegraph sent promptly C. O. D. Special attention paid to embalming.

W. H. GREGG, Prest. | F. W. ROCKWELL, Sec'y. Southern White Lead Company.



Pure White Lead bearst he following guarantee:

"The White Lead contained in this package is guaranteed by the Manufacturers, the SOUTHERN WHITE LEAD CO. St. Louis. Mo., to contain no adulteration whatever. It is composed entirely of perfectly Pure Carbonate of Lead and Linseed Oil, and is sold subject to Chemical Anniysis and the Blowpipe Test."

The name of this Company is placed only upon Strictly Pure Lead. It is not placed upon a second or other inferior quality. So parties purchasing white Lead branded "SOUTHERN COMPANY," are absolutely sure of obtaining a Perfectly Pure Artiche. 29 For sale by dealers in Paints and oils throughout the West and South.

BENJES'S

Corner Second and Jackson Streets, Memphis, Tennessee

HAVE THE LATEST IMPROVEMENTS IN

M. D. L. STEWART, SOLICITOR

Office-No. 34 Poplar Strees, Memphis. Will practice in the Courts of Law and Chan-cery in West Tennessee and North Mississis-sippl, and give special attention to collections, con-REES B. EDMONDSON,

IOHN POOL. Late U. S. Senator. POOL& EDMONDSON Law Office,

WILL practice in all the Courts of the District of Columbia, Supreme Court of the United States VV Columbia, Supreme Court of the United States, Court of Claims, and before the Executive Depart-ments of the Government. Prompt attention given to the Collection of Claims. CRESCENT

COTTON GIN And Corn Mill.

(Formerly called Anchor Gin.) N. 12 NORTH SECOND STREET, HALF square
North of Louisville Ballroad Track, Memphis,
Tenn. Having established a first-class (linhouse, as
above, and fitted up with the best Glus and Cleaners

To Country Merchants

396 Main Street. Gas Pipes,

Water Pipes, Steam Pipes. Stone Pipe, 866,525 Rubber Pipe.

PIECE JEWELRY COMBINATION OUT. Gents' etegant Watch-Chain, Gold-Plated Sleeve-Buttons, Collar Buttons, Set of Spiral Studs, Piain Ring, and imitation Coral Scarf-Pia. Com-plete sample lots, 25 cents; 12 lots, 82. Special terms to agents, BRIDE & CO., 765 Broadway, N. Y. NORFOLK OYSTERS MESSRS. R. BUCHIGNANI & CO.'S OYSTER Restaurant and Refreshment Saloon, at the corner of Second and Jefferson streets,

JOHN LILLY, MENKEN BROTHERS

Holiday Gifts for Ladies.

Velvet Cloaks, Velvet Cloaks, Matelasse and Beaver Cloaks and Polonaises. Cloaks at 85, 86, 87, 88, 810 and up. Black Silks at 81, 81 25, 81 50 and up. Colored Silks at 81, 81 25, 81 50. Black and Colored Cashmeres at 55c, 65c, 75c. Beal Lace Collars, Barbes, Initial Handkerchiefs, Opera Shawis, Fans, Silk and Lace Ties,

Holiday Gifts for Misses.

Ready-made Suits, many less than cost.
Cloaks. Shawls and Waterproof Wraps—new designs.
Dress Goods for Misses. 20c a yard.
Misses' Shoes, Misses' Hose.
Misses' Fur Sets at \$1.

Holiday Gifts for Children. Children's Walking Suits less than cost. Children's Cionks at cost, many less than cost. Children's Sacks, Hoods, Dolls, Ten Sets, Etc. Children's Fur Sets at less than cost. Children's Gloves, Shoes, Hose, Etc.

Holiday Gifts for Infants.

Infants' Cloaks at a sacrifice.
Infants' Embroidered and Plain Dresses.
Infants' White Lace Dresses.
Infants' Underwear and Bibbs.
Infants' Bonnets and Caps.
Infants' Embroidered Shawls, Sacks and Skirts.

Menken Bros. J. R. GODWIN.

> J. R. GODWIN Cotton Factors,

No. 336 Front Street, Cor. Union, Memphis.

J. S. WILKINS,

Watches, Jewelry, Diamonds! AND STERLING SILVERWARE.

No. 290 Main Street, corner Madison, Memphis. ET CALL AND EXAMINE STOCK, E

Attractive New Goods

Pearl Card Cases, Portemonnaies Autograph and Photograph Albums, Fine Russia-Leather Pocket-Books, Pearl and Gold Pen and Pencil Cases, Embossed Picture Ornaments. Gold and Silver Perforated Boards, Crystal and Bronze Inkstands, Fine Bibles and Hymn Books, Presentation Sets, Prayer Books, Novelties in Fancy Stationery, Writing Desks, in Great Variety, Standard Books, in Fine Bindings.

---ALSO---Very Complete and Attractive Line of JUVENILE BOOKS A. F. DOD & CO.

FOR THE

341 MAIN ST. : : MEMPHIS. GILS! SLEDGE, M'KAY & CO

COTTON FACTORS

WHOLESALE GROCERS,

371 & 373 MAIN STREET, MEMPHIS, TENN CHAS, J. PHILLIPS, Cotton Salesman. CASH ADVANCES MADE ON CONSIGNMENTS OF COTTON TO MESSES. BROWN, SHIPLEY &

LUMBER DEALERS. Nos. 351 and 353 Second St., Memphis. DOORS, LUMBER SASH LATHS AND ANG BLINDS JOHN SELES EILING

NOW READY.

Acme Rye Whiskies.

A. Vaccaro & Co., 324 Front Street.

their sole agents for the sale of their celebrated Acme Bre Whiskies, where a large stock will be found constantly on hand.

WANTED FOR THE BEST SEL

For convenience, power and tracy, it is unequalted. If your

accuracy, it is my

MOORE, BASSETT & CO.,

ROPER & DALY. Wholesale and Retail Dealers in Stople and Fancy GROCERIES COTTON FACTORS

And Commission Merchants 410 Main Street, Memphis, Tenn. T. W. HOLST. G. H. HOLST & BRO.



320 Main, opp. Peabody Hotel, Les Orders by telegraph psomptly filled, and lases shipped C. O. D. Bluff City Steam

Cor. Linden and Clinton Streets, Near River and Elevator. PHIS Ginhouse has been refitted with entire new A machinery, new Gins, and the best and most approved Cotton Clenners, and is now prepared to gin Cotton so as to give the best sample. J. T. Hillsman & Co., 208 Front Street,

are the Agents, and will furnish sucks to persons wishing to ship cofton to these gins, and, when, de-sired, will make liberal advances on the cotton. [ESTABLISHED 1840.]

J. &. J. STEELE & CO. Grocers

COTTON FACTORS No. 1 Exchange Building, 168 Front street, Memphis, Tennessee,

Are prepared to handle WHEAT on commis-sion. Sucks furnished on orders.

M ESSRS. R. BUCHIONANI & Co. Co. And the corner of Second and Jefferson streets, have reduced the prices of Norfolk oysters to 25 cents per dozen for raw and stewed, and 40 cents for fried. They have also fitted up elegant apartments in their up-stairs for the accommodation of ladies, to whom refreshments will be served at a slight advantage on the above rates.

ELECTION NORTH.

Memphis, Tenn., becoming it is a Memphis, Tenn., becoming it is a few membins. Tenn., becoming it is a few membins. Tenn., become of them are fried. They have also fitted up elegant apartments to the accommodation of ladies, to whom refreshments will be served at a slight advantage on the above rates.

ELECTION NORTH.

Terms of Subscription, Daily & Weekly

Rates of Advertising.

We solicit letters and communications upon subjects of general interest, but such must always be accompanied by a responsible name.

We will not return rejected communications.

All letters, communications, or anything else for the APPEAL, should be addressed

GALLAWAY & KEATING,

M. C. GALLAWAY. 282 Second street.

MEMPHIS APPEAL TUESDAY MORNING, DEC. 12, 1876.

will become a mockery.

If the People Allow it to Pass, they will

President out of their Hands.

is Concerned.

a body is spoken by the majority of the ballots. They did appoint the Tilden candidates. Their decision to that effect was spoken by a large majority, in the prescribed way, with loud emphasis. Nevertheless.

funds to congress and to the country such proofs as will justify these allegations and establish their

clination to meet at the ballot-box the insolent and swaggering ballies ever ready to insult all who oppose the candidate that employs them to bluster. More excitement and
more fights grow out of elections than all
other causes combined, and if the vote of
whole counties and congressional dis-

THE RESETT. POWER AND LUTY OF THE HOUSES

to count the true was of the States only, which, of course, covers and includes the duty of rejecting false was from their count, if it be kn was their specified roles in the beauty of the kn was their specified or design. For critical reasons, which will be given presently. It is plain to us that in case to day to count or reject a war, the ladgment of the senate must prevail in regard to the Vice-Presidency, and that of the house on the Presidency. Before coming to that, however, we are to consider upon what grounds either house, or both together, can act in rejecting a vote. It is claimed that the certificate of the State officers, if it be in due form, imparts absolute verify—must be taken as infallibly true, and cannot be questfored or disputed. This is true doubtless. Congress is not a national returning board, and cannot sit to hear appeals from the returning boards of the States—cannot rejudge the justice done by the State authorities, or correct their errors. The decision, if it be a decision of the State authorities, is as conclusive and binding on all the world, including congress, as the judgment of a court of best resort upon a subject within its exclusive jurisdictions.

CONGRESS IS BOUND, THEREFORE, TO COUNT THE LOUISIANA VOTE,

THE RETURNING BOARD AND GOVERNOR OF LOUISIANA

the general principle established in England by the statute of Elizabeth, and adhered to in the other states of this Union. But this is not important now, and will never become so unless the guilty parties be prosecuted. The question at present is whether a vote known to be false and fraudulent shall be re-

natters of ininor importance will not fail us when a attempt is made to cheat us by wholesale out of he right to be governed by a President of our own holes. It has been applied to election certificates a cases precisely analogous to this. Once upon a me the majority in the house of representatives

THE LAW AND THE EVIDENCE

THE SENATE MAY THINK hat this vote is not fraudulent, or it may believe hat fraud is, and ought to be, as good and valid as ruth, while the house adheres to the opposite notion, and, acting upon its convictions, refuses to sanctify he fraud by adopting it. What then? Does that wing the organic much heavy of the superpresent to

depends upon the state of the electoral vote for President, as the senate's action must be governed by the vote for Vice-President. The duty to do an act upon a certain contingency certainly implies the power to ascertain whether that contingency has risen or not. If the senate thinks it right to admit fraudulent votes, and can find enough of them to elect their caudidate, they may install him in the chair of their body, since there is no authority in the house of representalities or elsewhere to stop them. If they, upon examination, believe that a true count of the legal votes gives no one a majority, and thereupon proceed to make an election of their own between the two highest, the house certainly cannot interfere. The house is equally independent when engaged in the performance of the duty separately and specially assigned to it. If no candidate has a majority of the electoral votes,

Publish which is good, Dr. J. H. M'Lean's strengthening cordial and blood purifier is a strength to the system, purifies and enriches the blood. Dr. J. H. M'Lean, 314 Chestnut street, St. Louis, Missouri. ife saving remedy, imparts vigor, health and

NOTIC Ets hereby given, that on I, as receiver of the Fain and whitmore Plantations, situated in sight of Osceola, in Mississippi county, Arkanisas, will, in pursuance of an order of the Cir-cuit Court of Mississippi county, Arkanisas, at its November term, 1878, proceed, within legal hours of said day, to rent said Fain and Whitmore Planta-tions, at public outery, to the highest bidder, in front of the courthouse in Osceola, Mississippi county, Arkanisas, said heatstions cattaliance transfer

COTTON FACTOR

E. L. Cleaves, 281 Main street premature decay, lost manhood, and all disorders brought on by excesses. Any drugglat has the impredients. Address DAVIDSON & CO., 86 Nassau St., N.Y.



Between Adams and Jefferson, Memphis, We manufacture all our own goods, and can offer to the trade at prices that will compare favorably with any of the Eastern or Western markets. All orders promptly and carefully attended to. DE. BOHANNAB MARRIAGE:

> JUST RECEIVED, A LARGE LOT, FOR SALE cheap, for drive-wells, etc. BROWNE, 258 Second St., opp. Court Square.

W. Clore's Genuine Calhoun Plows

THE Hoffman Patent Steel Plow is a late inven-vention of Win. Clore, and will commend itself on sight. It has a cutter attached for plowing in hard ground, and also for bearing off cotton. For loose ground plowing the Cutter can be readily re-moved. Call and see it at

310 and 312 Front Street.

NOTICE!

FOOT ADAMS ST., MEMPHIS, TENN. ers' prices. Diamond Anti-Friction Metal Co.





A Cotton Gins and Cleaners. Planters in the vicinity of Memphis, and on the rivers where good Gins are not convenient, can have their ginning done here, and rely on having their work done in the best manner. All cotton will be fally covered by insurance, free of charge. Sacks will be furnished to parties shipping to my Gins. My rates will be as low as any reliable establishment in the city, and my patrons can rely mon prompt and honest be as low as any renaule coan prompt and hones and my patrons can rely upon prompt and hones WM. BENJES.

ATTORNEY AT-LAW,

507 Twelfth street, Washington, D. C.

N F W Prints, Jeans, Blankets, Flan-nels, Plaids, Skirts, Linseys, and many other nice winter things. Extra low prices, at Wm. R. Moore & Co.'s, Browne, the Plumber.

Bath Tubs. Pumps, Hydrants, Gas Fixtures! Gas Fittings! Brass Fittings!

EVERYTHING CHEAP. 258 Second St., opp. Court Square | to whom refreshments wance on the above rates.